

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: April 21, 2004

Division: County Attorney

AGENDA ITEM WORDING:

Resolution setting the date, time and place for a public hearing concerning the proposed abandonment of a portion of Sea Lane, Geiger Key, Florida.

ITEM BACKGROUND:

Petition has been reviewed and approved by Planning, Engineering and Fire Marshal.

PREVIOUS RELEVANT BOCC ACTION:

STAFF RECOMMENDATIONS:

Adoption of Resolution setting one public hearing for 3:00 PM on **July 14, 2004 in Key West, Florida**

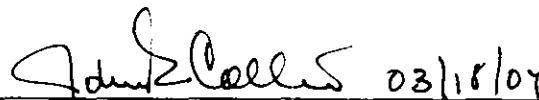
TOTAL COST: Petitioner pays

BUDGETED: Yes ☐ No ☐

COST TO COUNTY:

APPROVED BY: County Attorney ☒ OMB/Purchasing ☐ Risk Management ☐

DIVISION DIRECTOR APPROVAL:


J. R. Collins

DOCUMENTATION:

Included ☐

To Follow ☐

Not Required ☐

AGENDA ITEM # _____

S13

RESOLUTION NO. -2004

A RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING CONCERNING THE PROPOSED ABANDONMENT OF A PORTION SEA LANE, GEIGER KEY, MONROE COUNTY, FLORIDA

WHEREAS, the Board of County Commissioners of Monroe County, Florida, desires to renounce and disclaim any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways, and

WHEREAS, under Chapter 336, Florida Statutes, it is necessary to hold a public hearing after publishing due notice of said hearing in accordance with said Chapter, now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that the Board will hold a public hearing on July 14, 2004 at 3:00 PM, at the Harvey Govt. Center - Truman School, 1200 Truman Avenue Street, Key West, Florida, to determine whether or not the Board will renounce and disclaim any right of the County and the public in and to the following described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, to-wit:

A PARCEL OF LAND BEING A PORTION OF THE RIGHT OF WAY LINE OF SEA LANE AS SHOWN ON THE PLAT ENTITLED "GEIGER MOBILE HOMES" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 77 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN AT THE NE'LY CORNER OF LOT 25, BLOCK 8, OF THE SAID PLAT OF "GEIGER MOBILE HOMES" AND RUN THENCE SOUTH ALONG THE W'LY RIGHT OF WAY LINE OF THE SAID SEA LANE FOR A DISTANCE OF 55.00 FEET TO THE NW'LY RIGHT OF WAY LINE OF THE SAID SEA LANE; THENCE BEAR N 31°05'12"E AND ALONG THE SAID NW'LY RIGHT OF WAY OF SEA LANE FOR A DISTANCE OF 95.84 FEET TO THE E'LY RIGHT OF WAY LINE OF THE SAID SEA LANE; THENCE S 60°49'00"W FOR A DISTANCE OF 57.27 FEET BACK TO THE POINT OF BEGINNING.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of the Board held on the 21st day of April, 2004.

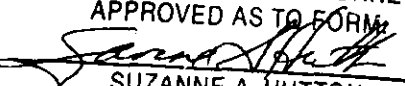
Mayor Nelson
Mayor Pro Tem Rice
Commissioner McCoy
Commissioner Neugent
Commissioner Spehar

(SEAL)
ATTEST: DANNY L. KOLHAGE, CLERK

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

SUZANNE A. HUTTON
ASSISTANT COUNTY ATTORNEY
Date 3/16/04

ROAD ABANDONMENT PETITION

NAME REESE & MARILYN PALLEY
ADDRESS 156 SEA LANE
STREET/EASEMENT to be abandoned END OF SEA LANE
KEY COEGER Mile Marker 10.6
DATE 1/27/03 PHONE 295-0700 FAX _____
E-mail REESEPALLEY@AOL.COM

We hereby petition the Honorable Board of County Commissioners to renounce and disclaim any right of the County and the public in and to the above-referenced street, alleyway, road or right-of-way as further depicted and described in the following attachments:

(Exhibit A)

Survey (preferably 11" x 17" or 8½" x 11") Description of roadway to be abandoned and survey showing that portion marked with diagonal lines with petitioners' property clearly delineated and outlined, and showing all adjacent properties.

(Exhibit B)

Map of Key on which road is located, clearly showing US 1, Mile Marker number and portion of road to be abandoned.

(Exhibit C)

Copies of Deed(s) - Petitioners certify that they are the sole owners of Lot(s) _____ and that the abandonment of said road will not take away from other property holders' right of ingress and egress to their property, and that taxes for the year _____ have been paid on their subject land.

(Exhibit D)

Legal description of that portion of roadway which petitioners seek to have abandoned.

(Exhibits E-1, E-2, E-3, E-4)

Letters of no objection from utility companies - including, but not limited to, water, electricity, telephone, and cable TV.

(Exhibit F)

Letters of no objection from all adjacent property owners and list of names and addresses of all adjacent property owners.

Petitioners seek the abandonment for the following reasons:

STRAIGHTEN OUT AWKWARD ENTRANCE TO
PROPERTY AND IMPROVE APPEARANCE
OF NEIGHBORHOOD.

Petitioners agree to be responsible for and pay for all costs of advertising and recording fees incurred relative to this request for the vacation.

Petitioners further agree to grant any easement necessary for the furnishing of utilities, including without limitation, electric power, water, sewer, telephone, gas, cable and other electric communication services to the same extent as is common within this area as to height, width and degree, upon request for such service or by the BOCC through its authorized agents. If easements are so required, copies of the executed documents will be provided to the County before the petition is presented to the BOCC.

Petitioners certify that the road to be abandoned does not end at water or that, if it does, the road is not a dedicated and accepted right-of-way (including by operation of law due to construction or maintenance by County).

WHEREFORE, Petitioners formally request the Honorable Board of County Commissioners to grant this petition.

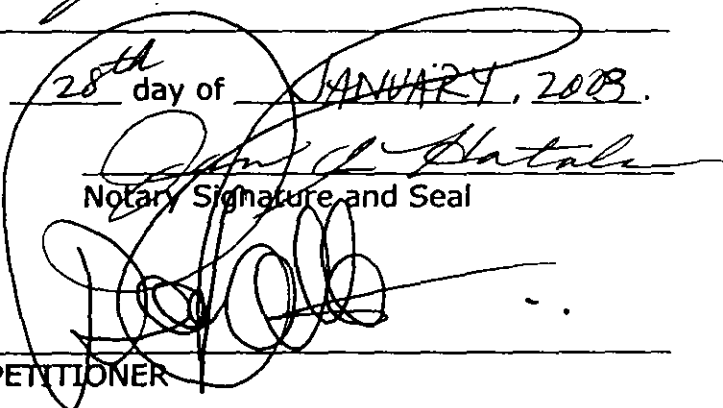

PETITIONER

- ☒ Is personally known to me.
☐ Provided as identification

Sworn to and subscribed before me this 28th day of JANUARY, 2003.

Typed Notary Name and Number

JAN E. HOTALEN
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # CC876077
EXPIRES 10/3/2003
BONDED THRU ASA 1-888-NOTARY1


Notary Signature and Seal

PETITIONER

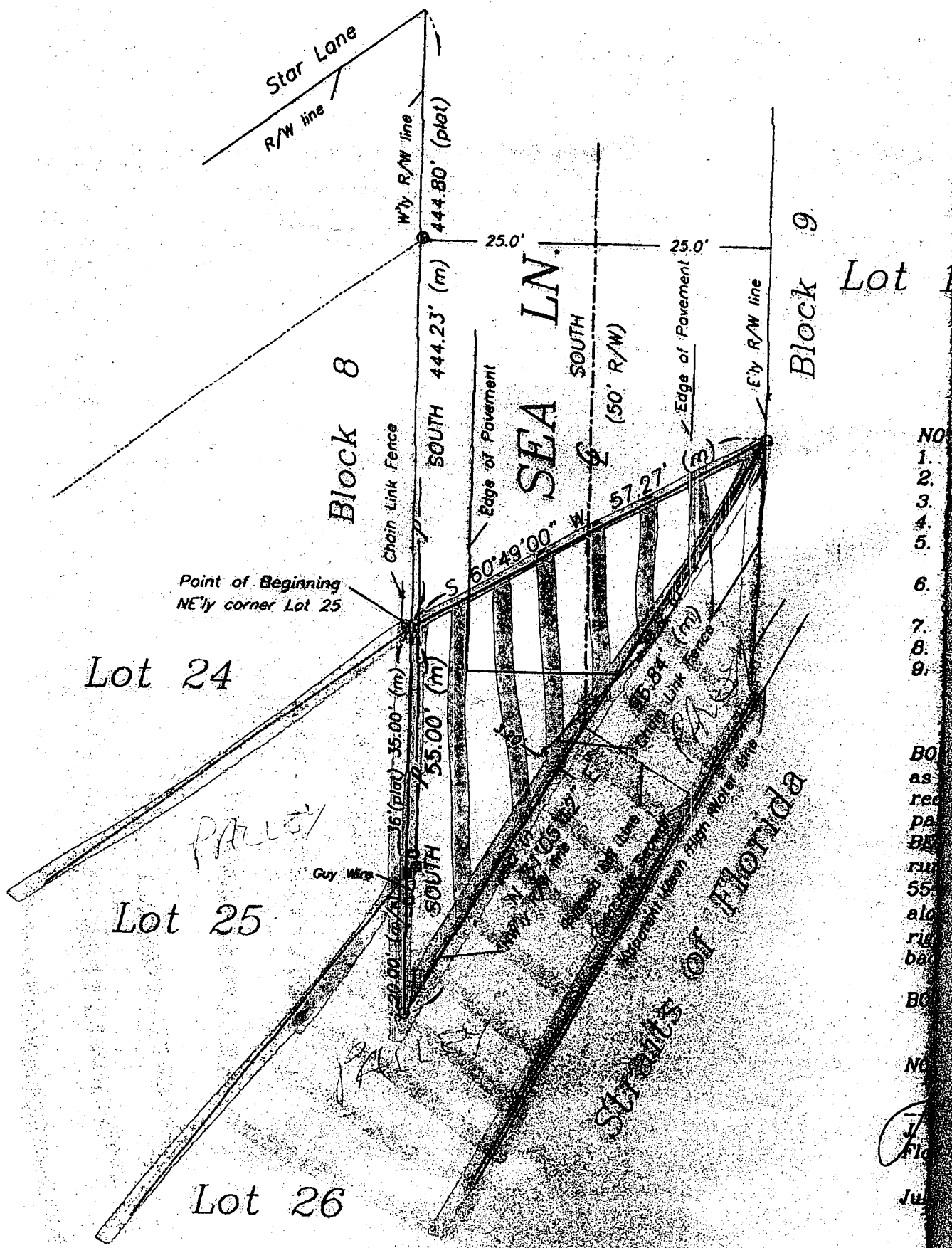
- ☒ Is personally known to me.
☐ Provided as identification

Sworn to and subscribed before me this 28th day of JANUARY, 2003.

Typed Notary Name and Number

JAN E. HOTALEN
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # CC876077
EXPIRES 10/3/2003
BONDED THRU ASA 1-888-NOTARY1


Notary Signature and Seal



NO
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BO
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Fla

Jul

LEGEND

- ⊙ Found 1/2" Iron Pipe (No ID)
- ▲ Found Nail & Disc (FHH)
- △ Set Nail & Disc (LB 7131)
- Set #5 rebar w/cap (LB 7131)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- C.B.S. Concrete Block Structure
- Conc. Concrete
- R\W Right of Way
- ⊕ Centerline
- ⊙ Wood Utility Pole
- ⊙ Concrete Light Pole
- P- Overhead Utility Lines
- Water Meter

Map of:
Boundary Survey for:
Reese and Marilyn Palley of a
portion of Sea Lane, GEIGER MOBILE
HOMES, Geiger Key, Key West, FL

TES:

The legal description shown hereon was authored by the undersigned.

Underground foundations and utilities were not located.

All angles are 90° (Measured & Record) unless otherwise noted.

Street address: Sea Lane, Key West, FL.

This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.

Bearings are based on the centerline of Sea Lane, as South, as per plat.

Error of closure exceeds one part in 10,000.

Date of field work: July 25, 2002.

UNDARY SURVEY OF: A parcel of land being a portion of the right of way line of Sea Lane shown on the plat entitled "GEIGER MOBILE HOMES" according to the plat thereof, as recorded in Plat Book 5, at Page 77 of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows:

GIN at the NE'y corner of Lot 25, Block 8, of the said plat of "GEIGER MOBILE HOMES" and thence South along the W'y right of way line of the said Sea Lane for a distance of 00 feet to the NW'y right of way line of the said Sea Lane; thence bear N 31°05'12" E and along the said NW'y right of way line of Sea Lane for a distance of 96.84 feet to the E'y right of way line of the said Sea Lane; thence S 80°49'00" W for a distance of 57.27 feet back to the Point of Beginning.

UNDARY SURVEY FOR: Reese and Marilyn Palley;

NORBY & O'FLYNN SURVEYING, INC.

Lynn O'Flynn, PSM
Florida Reg. #6298

July 31, 2002

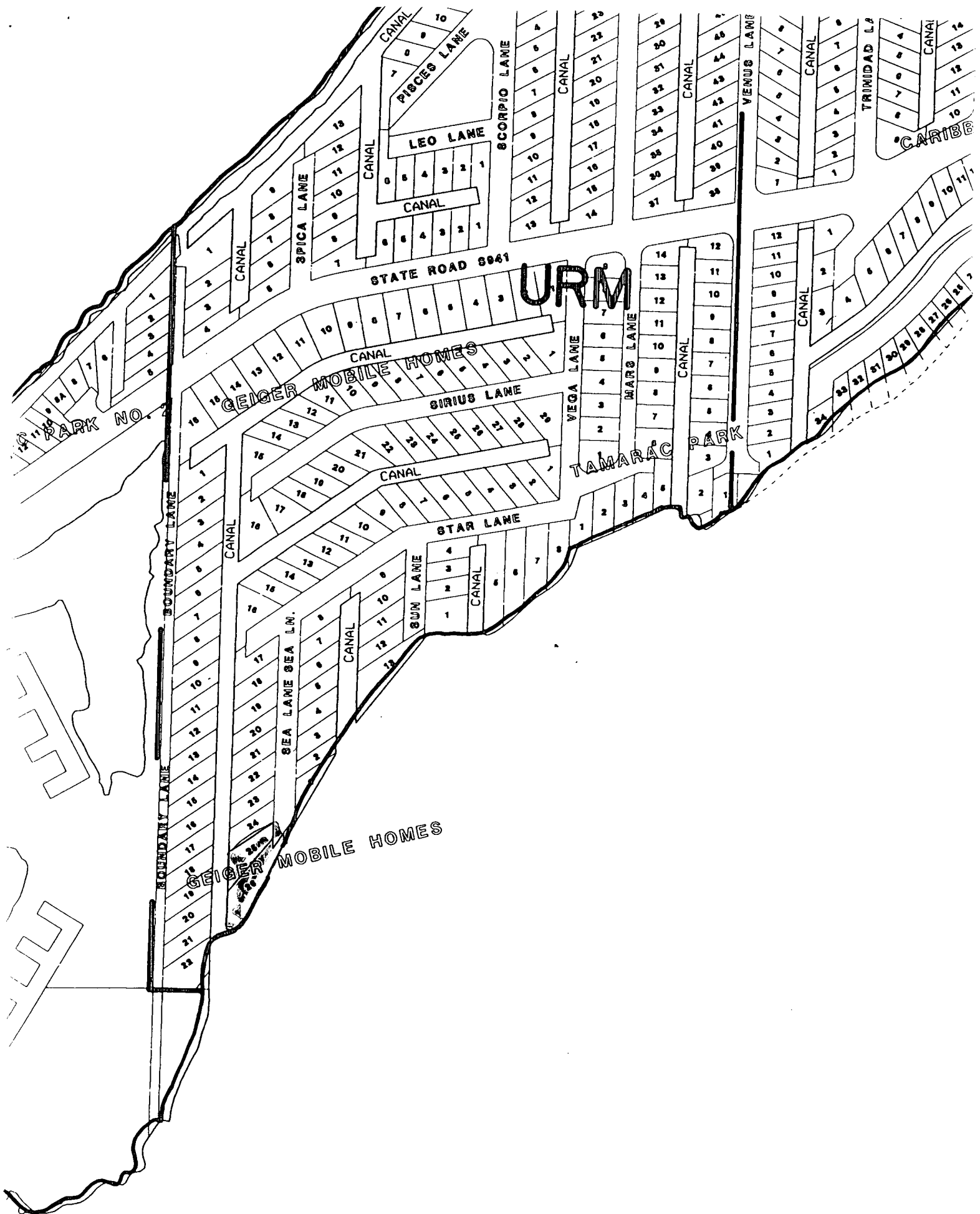
NORBY & O'FLYNN
Surveying, Inc.



Professional Land Surveyors

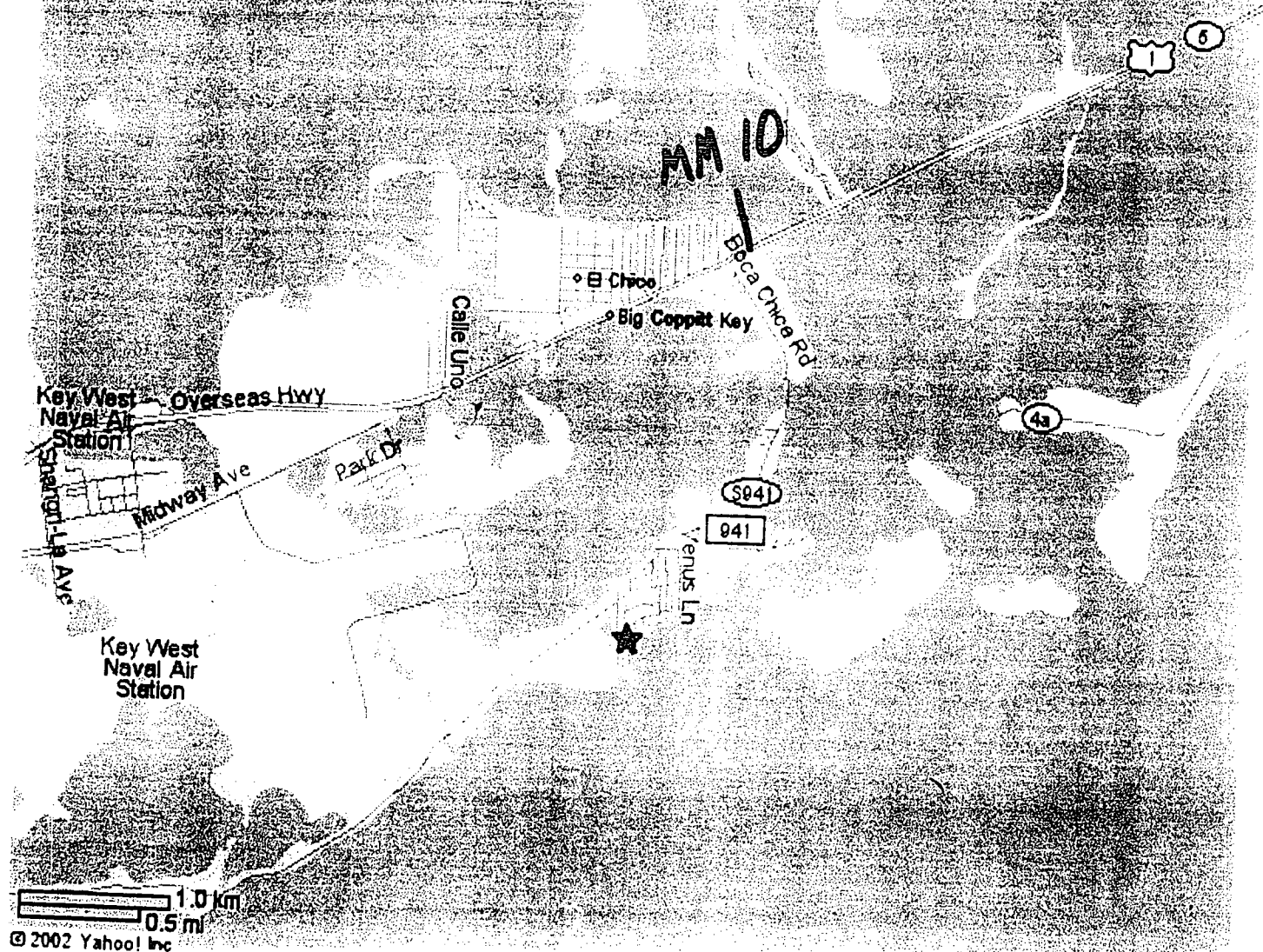
LB No. 7181

3430 Duck Ave., Key West, FL 33040
(305) 298-7422 FAX (305) 293-9924



★ 156 Sea Ln, Key West, FL 33040-6320

YAHOO!



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© 2002 Navigation Technologies **NAMTECH**

This instrument was prepared by
and return to:

ALLEN & GOLDMAN, P.A.

Attorneys at Law

617 Whitehead Street

Key West, Florida 33040

MONROE COUNTY
OFFICIAL RECORDS

FILE #1066221
BK#1518 PG#440

Grantee #1 S.S. No. 155-01-3980

Grantee #2 S.S. No. 145-38-9497

Property Appraiser's

Parcel Identification No. 00146790-000100

RCD Jun 02 1998 10:22AM

DANNY L. KOLHAGE, CLERK

DEED DOC STAMPS 0.70

06/02/1998 HP DEP CLK

QUIT CLAIM DEED

(Wherever used herein, the term "party" shall include the heirs, personal representatives and/or assigns of the respective parties hereto; the use of the singular number shall include the plural and the plural the singular, and the use of any gender shall include all genders).

THIS INDENTURE, made this 26th day of May, 1998, between **SCHARF LAND DEVELOPMENT CO.**, whose post office address is P.O. Box 1171, Ballwin, MO 63022-1171 of the County of St. Louis, State of Missouri, grantor, and **REESE PALLEY and MARILYN A. PALLEY**, husband and wife, whose post office address is 156 Sea Lane, Tamarac Park, Key West, FL 33040 of the County of Monroe in the State of Florida, grantee,

WITNESSETH that said grantor, for and in consideration of the sum of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS** to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has remised, released, and quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part the following described land, situate lying and being in the County of Monroe, State of Florida, to-wit:

PT Lot 26, Block 8, portion lying Southeasterly of a Southerly extension of the West Line of Sea Lane and PT Lot 1, Block 9, that lies Westerly of the East side of Sea Lane, recorded in Plat Book 5, Page 77 of the Public Records of Monroe County, Florida.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anyway appertaining, and all estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part.

IN WITNESS WHEREOF, the said grantor has hereunto set his hand and seal the day and year first above written.

C

SIGNED, SEALED AND DELIVERED
IN OUR PRESENCE:

SCHARF LAND DEVELOPMENT CO.

Katherine Young
Name:

Ann Mark
Name:

By: John Scharf
President

WITNESSES AS TO SIGNATURE

STATE OF MISSOURI)
COUNTY OF ST. LOUIS)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, the President of SCHARF LAND DEVELOPMENT CO., John Scharf, who executed the foregoing deed and who has produced Driver's license as identification.

IN WITNESS WHEREOF, I hereunto set my hand and official seal at St. Louis County, said County and State, this 26th day of May, 1998.

Marlys Thompson

Print Name: Marlys Thompson
NOTARY PUBLIC
My Commission Expires

(SEAL)

MONROE COUNTY
OFFICIAL RECORDS

MARLYS THOMPSON
Notary Public - Notary Seal
STATE OF MISSOURI
St. Louis County
My Commission Expires July 22, 1998

FILE #1066221
BK#1518 PG#441

This Instrument Prepared by:

906065

OFF REC 1366 PAGE 0894

Address: "SAME"

Grantee Name and S.S. #:

REESE PALLEY

Grantee Name and S.S. #:

MARILYN ARNOLD PALLEY

D3 Paid

Date

MONROE COUNTY

DANNY L. KOLBASE, CLERK CIR. CT.

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

This Indenture,

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "note" shall include all the notes herein described if more than one.

Made this 18th day of August A. D. 19 95
Between **CARMEN RAYMOND and PAULA RAYMOND, his wife**
whose address is: 43 Huron Avenue, Wayne

of the County of in the State of New Jersey
party of the first part, and **REESE PALLEY and MARILYN ARNOLD PALLEY, his wife**
whose address is: PO BOX 1471, SUMMERLAND KEY, FL 33042

of the County of MONROE in the State of Florida
party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND NO/100 AND OTHER GOOD AND VALUABLE CONSIDERATION Dollars, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part his heirs and assigns forever, the following described land, situate lying and being in the County of Monroe, State of Florida, to wit:

Lot 26, Block 8, GEIGER MOBILE HOMES, less that portion of said lot lying Southeasterly of a Southerly extension of the West line of Sea Lane, a Subdivision according to the Plat thereof, recorded in Plat Book 5, at Page 77 of the Public Records of Monroe County, Florida.

SUBJECT TO: Taxes for the year 1995 and subsequent years.
SUBJECT TO: Conditions, limitations, easements and restrictions of record, if any.

Property Appraiser's Parcel Identification Number: 146790-000000

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

Robert MacMoyle
ROBERT MACMOYLE
Printed Name of Witness No. 1

Paula Raymond
PAULA RAYMOND
Printed Name of Witness No. 2

Carmen Raymond L.S.
CARMEN RAYMOND
Paula Raymond L.S.
PAULA RAYMOND

FILED FOR RECORD
JUN 22 AM 1:49
MONROE COUNTY, FLA.

State of ~~Florida~~ ^{XXXXXX}

County of _____

906065

OFF
REC 1366 PAGE 0895

The foregoing instrument was acknowledged before me this 18 day of

AUGUST

, 19 95, by

CARMEN RAYMOND AND PAULA RAYMOND

who is personally known to me or who has produced _____

as identification and who did (did not) take an oath.

Signature

Nancy C. Festa
NANCY C. FESTA

Printed Name

NOTARY PUBLIC

Title

Serial #, if Any NANCY C. FESTA
Notary Public, State of New Jersey
No. 2164824
Qualified in Essex County
Commission Expires April 22, 1999



Recorded in Official Records
in Marion County, Florida
Recorded

BARRY L. KOLHAGE
Clerk Circuit Court

RCD Jan 15 2002 02:34PM
DANNY L KOLHAGE, CLERK

THIS INSTRUMENT PREPARED BY AND RETURN TO:

FELDMAN, KOENIG, & HIGHSMITH, P.A.
3155 NORTHSIDE DRIVE
KEY WEST, FL 33040DEED DOC STAMPS 2023.00
01/15/2002 *FL* DEP CLKProperty Appraisers Parcel Identification (Folio) Numbers:
00146780-000000
Grantees SS #s:

SPACE ABOVE THIS LINE FOR RECORDING DATA

~~THIS WARRANTY DEED~~, made the 14th day of January, A.D. 2002 by ~~RICHARD WANG and PEIYUN LEE WANG, husband and wife~~, herein called the grantors, to ~~BEERE PALLEY and MARILYN ARNOLD PALLEY, husband and wife~~ whose post office address is 154 SEA LANE - GEIGER KEY, KEY WEST, FL 33040, hereinafter called the Grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in MONROE County, State of Florida, viz:

Lot 25, Block 8, GEIGER MOBILE HOMES, a Subdivision according to the Plat thereof, recorded in Plat Book 5, at Page 77, of the Public Records of Monroe County, Florida.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

~~That the grantors, with said grantee, that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey the same unto the grantee, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.~~

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Ralph Sanchez
Witness #1 Signature
RALPH SANCHEZ
Witness #1 Printed Name

Jennifer G. Sanchez
Witness #2 Signature
JENNIFER G. SANCHEZ
Witness #2 Printed Name

[Signature] L.S.
RICHARD WANG
154 SEA LANE - GEIGER KEY, KEY WEST, FL 33040

[Signature] L.S.
PEIYUN LEE WANG
154 SEA LANE - GEIGER KEY, KEY WEST, FL 33040

STATE OF FLORIDA
COUNTY OF MONROE

~~This foregoing instrument was acknowledged before me this 14th day of January, 2002 by RICHARD WANG and PEIYUN LEE WANG, husband and wife, as Identification:~~

SEAL

My Commission Expires:



Jennifer G. Sanchez
Notary Signature
JENNIFER G. SANCHEZ
Printed Notary Signature

ACCESS EASEMENT

THIS EASEMENT, Made this 5th day of March, 2004, by and between the Reese Palley and Marilyn A. Palley, Grantors, whose address is 156 Sea Lane, Key West, Fl. 33040, to Reese Palley and Marilyn A. Palley, Grantees.

WITNESSETH:

WHEREAS, the Grantors and grantees are one and the same; and

WHEREAS, the parties have petitioned the County to abandon a portion of Sea Lane, Geiger Key, Monroe County, Florida, as platted in the official records of Monroe County at Plat Book 5, page 77, subdivision of Geiger Mobile Homes; and

WHEREAS, the parties own Lots 25 and 26, Block 8 of said subdivision; and

WHEREAS, it is necessary to insure that after the abandonment, Lot 26 will continue to have ingress and egress access should the parties sell Lot 25; a utility easement;

NOW, THEREFORE, for and consideration of the accessibility to be made available to Lot 26, the Grantors do grant to Grantees, their successors and assigns, a perpetual easement on, over and above that portion of Sea Lane which is described in Exhibit A and attached hereto for the purpose of ingress, egress, to Lot 26.

IN WITNESS WHEREOF, the Grantees have executed this easement, the day and year first stated above.

WITNESSES:

Fredericka A. White
Fredericka A. White

Gordon W. Frantzlin
Gordon W. Frantzlin

GRANTORS:

Reese Palley

Marilyn A. Palley

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledge before me this 5 day of March, 2004, by Reese Palley and Marilyn Palley, who is/are () personally known to me or () who provided FL DL as identification and who did take an oath.

Fredericka A. White
Typed Notary Name and Number

Notary



EXHIBIT A

A portion of Sea Lane, as platted in the official Records of Monroe County, Florida, as platted in Plat Book 5, Page 77, and more particularly described as follows:

BOUNDARY SURVEY OF: A parcel of land being a portion of the right of way line of Sea Lane as shown on the plat entitled "GEIGER MOBILE HOMES" according to the plat thereof, as recorded in Plat Book 5, at Page 77 of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows:
 BEGIN at the NE'ly corner of Lot 25, Block 8, of the said plat of "GEIGER MOBILE HOMES" and run thence South along the W'ly right of way line of the said Sea Lane for a distance of 55.00 feet to the NW'ly right of way line of the said Sea Lane; thence bear N 31°05'12" E and along the said NW'ly right of way line of Sea Lane for a distance of 96.84 feet to the E'ly right of way line of the said Sea Lane; thence S 60°49'00" W for a distance of 57.27 feet back to the Point of Beginning.

** DUPLICATE **
 DANNY L KOLHAGE
 MONROE COUNTY
 CLERK OF CIRCUIT COURT
 May 05, 2004 04:20pm
 Receipt # 224198 Drawer PW-DRAWER
 REESE FALLEY
 Operator: pm111
 Amount 10.50
 Instrument # 1429362 Type EASMT
 Book # 1981 Page # 463 Time 16:19
 Recording Fee
 Reference: FALLEY
 1540
 10.50 CK

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE RIGHT OF WAY LINE OF SEA LANE AS SHOWN ON THE PLAT ENTITLED "GEIGER MOBILE HOMES" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 77 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

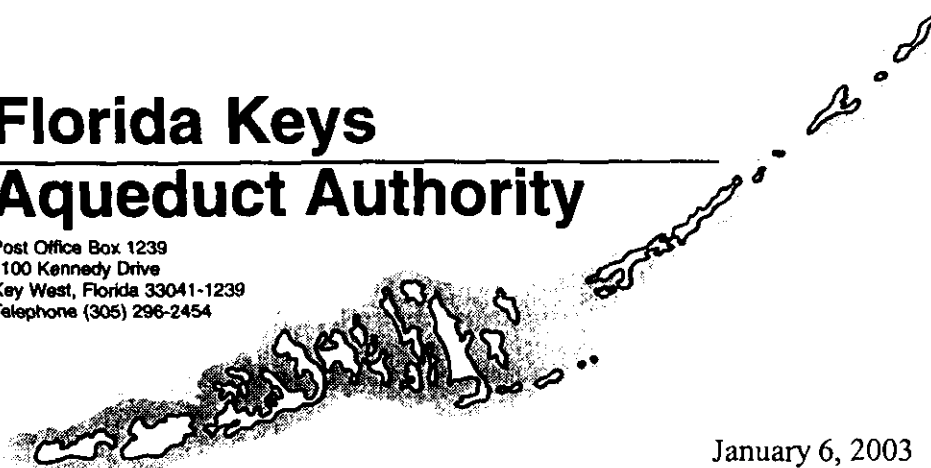
BEGIN AT THE NE'LY CORNER OF LOT 25, BLOCK 8, OF THE SAID PLAT OF "GEIGER MOBILE HOMES" AND RUN THENCE SOUTH ALONG THE W'LY RIGHT OF WAY LINE OF THE SAID SEA LANE FOR A DISTANCE OF 55.00 FEET TO THE NW'LY RIGHT OF WAY LINE OF THE SAID SEA LANE; THENCE BEAR N 31°05'12"E AND ALONG THE SAID NW'LY RIGHT OF WAY OF SEA LANE FOR A DISTANCE OF 95.84 FEET TO THE E'LY RIGHT OF WAY LINE OF THE SAID SEA LANE; THENCE S 60°49'00"W FOR A DISTANCE OF 57.27 FEET BACK TO THE POINT OF BEGINNING.

EXHIBIT D



Florida Keys Aqueduct Authority

Post Office Box 1239
1100 Kennedy Drive
Key West, Florida 33041-1239
Telephone (305) 296-2454



John M. Koenig, Sr.
Chairman
Key West

Lynn C. Mapes
Grassy Key

Mary L. Rice
Secretary-Treasurer
Marathon

Linda B. Wheeler
Key West

Harry E. Cronin
Key Largo

Roger Braun
Executive Director

January 6, 2003

Mr. and Mrs. Reese Palley
P.O. Box 1471
Summerland Key, Florida 33042

Re: Lots 25 & 26, Block 8 and a portion of Lot 1, Block 9
Geiger Mobile Homes Subdivision, Geiger Key, Florida

Dear Mr. and Mrs. Palley:

The FCAA Board of Directors approved at the December 19, 2002 meeting, the above referenced project.

Staff has researched your request and has no objection to the abandonment. There are presently two meters and piece of 2" water main located in the approved abandonment. The Owner has agreed to relocate the section of water main and the meters to the new right-of-way at his expense.

Should you have any questions, please do not hesitate to call this office.

Sincerely,

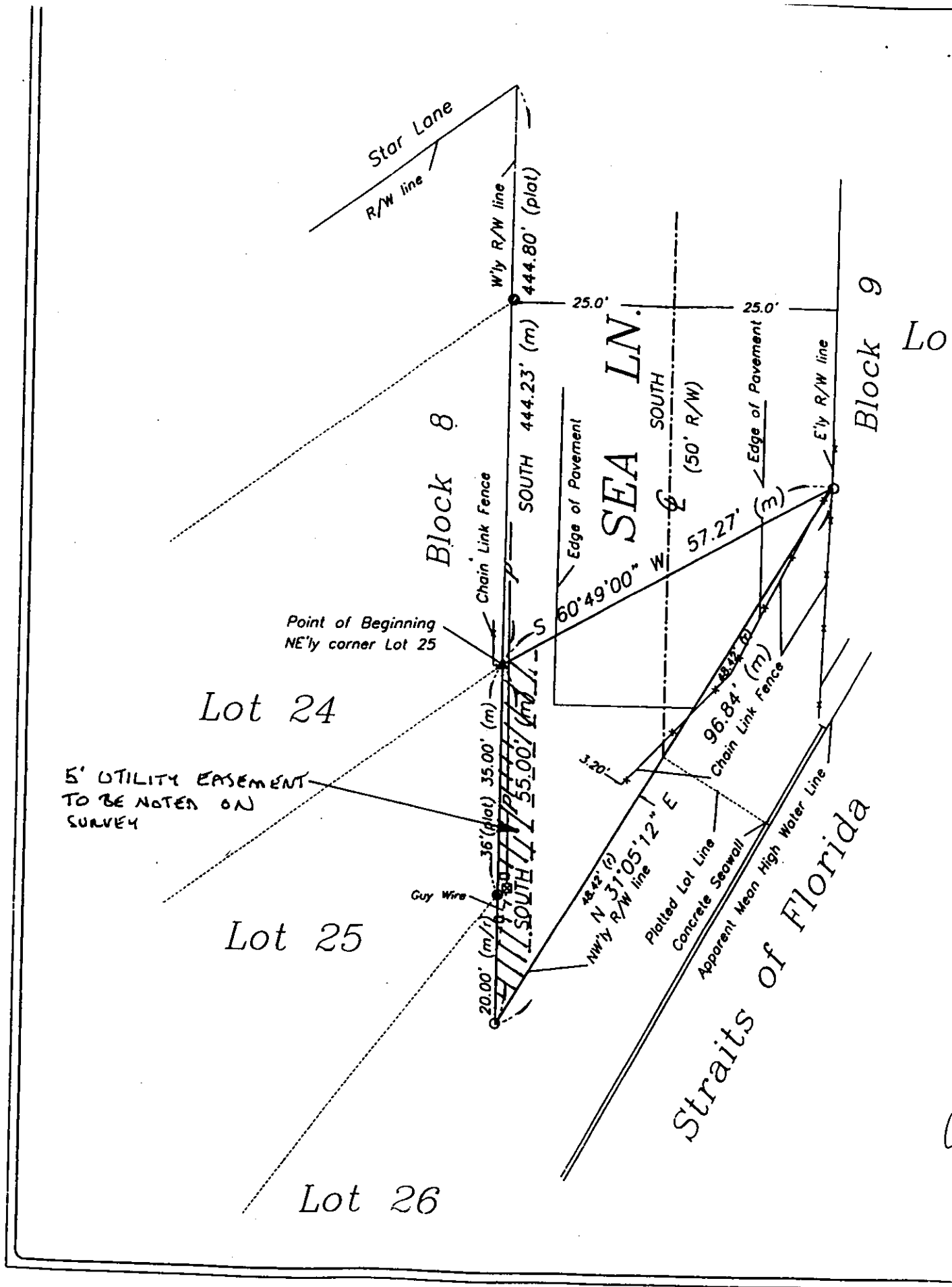
FLORIDA KEYS AQUEDUCT AUTHORITY

Edgar F. Nicolle, Jr.
Distribution Design Specialist

EFN/pm

cc: Bob Feldman, General Counsel
Arlyn Higley, Director of Maintenance Dept.
Monroe County Building Department

EXHIBITS E



BELLSOUTH
TELECOMMUNICATIONS ®

650 United St
Key West, FL 33040
Office: (305) 296-9078
Facsimile: (305) 294-4062

September 18, 2002

Marilyn and Reese Palley
156 Sea Lane
Key West, FL 33040

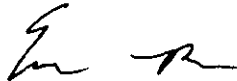
Subject: ***Roadway Abandonment of Sea Lane along lots 25 and 26, Block 8, Geiger Mobil
Homes Subdivision, Monroe County, Florida***

To Mrs. and Mr. Palley:

Our engineering department has reviewed the above referenced request. Presently, BellSouth has existing facilities along the western boundary of the area in question. BellSouth has no objections to the abandonment of the above referenced Right of Way provided that a 5 foot utility easement is granted to maintain those facilities.

If further assistance is needed, please do not hesitate to call, Earl Beck, at (305) 296-9078.

Thank You,



Earl Beck
Project Manager, BellSouth

This instrument was prepared by Barbara Archer, Keys Energy Services, on August 30, 2002

E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS, that

(Reese and Marilyn Palley)

hereinafter called grantor(s) do hereby grant an easement to THE UTILITY BOARD OF THE CITY OF KEY WEST, FLORIDA, hereinafter called grantee, for utility purposes, in, under, over and across the hereinafter described land, in the management, operation, maintenance, extension, construction and improvement, thereof, to wit:

On the Island of (Geiger Key) in Monroe County, Florida,

A parcel of land being a portion of the right of way line of Sea Lane as shown on the plat entitled "GEIGER MOBILE HOMES" according to the plat thereof, as recorded in Plat Book 6, at Page 77 of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows:

BEGIN at the Northeasterly corner of Lot 25, Block 8, of the said plat of "GEIGER MOBILE HOMES" and run thence South along the Westerly right of way line of the said Sea Lane for a distance of 55.00 feet to the Northwestern right of way line of the said Sea Lane; thence bear North 31° 05' 12" East and along the said Northwestern right of way line of Sea Lane for a distance of 96.84 feet to the Easterly right of way line of the said Sea Lane; thence South 60° 49' 00" West for a distance of 57.27 feet back to the Point of Beginning.

A general easement for the installation and maintenance of overhead wiring and all appurtenances necessary.

Together with the right of ingress and egress over property of the grantor(s), so as to afford the grantee complete use and enjoyment of this easement, including the right to cut and trim, from time to time, trees, brush, over-hanging branches and other natural obstructions on the above described land, which may injure or interfere with the full and complete use of the aforesaid easement.

This easement shall terminate if at any time its use is discontinued for year(s).

IN WITNESS WHEREOF, these presents have been executed by the grantor(s) herein, all as of the day of A.D. 19 .
Signed, Sealed and Delivered in the presence of:

Barbara Archer
(Witness)

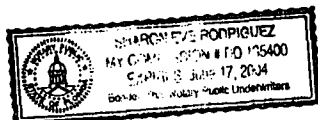
David White
(Witness)

REESE PALLEY, GRANTOR

MARILYN PALLEY, GRANTOR

STATE OF FLORIDA ss
COUNTY OF MONROE

On SEPTEMBER 6, 2002, before me the undersigned, a Notary Public in and for said County and State, personally appeared REESE PALLEY AND MARILYN PALLEY known to me to be the person(s) whose names ARE subscribed to the within instrument and acknowledged that they executed the same.



SEAL Sharon E. Rodriguez
Notary Public in and for
said County and State



AT&T Broadband & Internet Services
1700 North Roosevelt Blvd. Unit 2
Key West, Florida 33040
305-296-8038

August 22, 2002

Mr. Reese Palley
Mrs. Marilyn Palley
156 Sea Lane
Key West, Florida 33040

RE: Road Abandonment Sea Lane, End of Street, See Attached Survey

Dear Mr. & Mrs. Palley:

AT&T Broadband has no objection to your road abandonment on Sea Lane on the attached survey.
If you have any further questions please feel free to contact me at 294-0992 x105.

Sincerely,

AT&T Broadband

A handwritten signature in black ink, appearing to read "Jerry Puto".

Jerry Puto, Construction Supervisor



(305) 295-1000
1001 James Street
PO Box 6100
Key West, FL 33041-6100
www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

August 30, 2002

Mr. Reece Palley
156 Sea Lane
Key West, Florida 33040

RE: ROAD ABANDONMENT

Dear Mr. Palley:

Keys Energy Services has no objection to the proposed abandonment as per the attached survey.

If you have any questions, please feel free to contact me at (305) 295-1055.

Sincerely,

UTILITY BOARD-CITY OF KEY WEST
"KEYS ENERGY SERVICES"

Carl R. Jansen, General Manager

David D. Price
Engineering Services Supervisor

DDP/ba

C:

C. Jansen, General Manager

D. Finigan, Director of Engineering/Control Center

Attachment

Utility Board Members

Robert R. Padron, Chairman	Dr. Otha P. Cox, Vice-Chairman
Leonard H. Knowles, Member	Gayle Swofford, Member
	Lou Hernandez, Member

sandy/easelett

To whom it may concern:

We, Rachel Long, the owners of 152
Sea Lane, Geiger Key, Key West, Florida, have no
objection to the petition for road abandonment
requested by Reese and Marilyn Palley.

Rachel Long

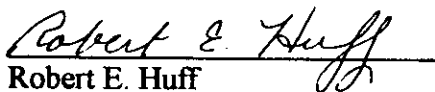
10-3-02

Robert E. & Kathy A. Huff
534 Hickory Street
Milford, MI 48381-1649
Phone: 248-685-9818
Fax: 248-685-1344
Email: Khuff1234@aol.com

July 20, 2002

To Whom It May Concern:

We, Robert E. & Kathy A. Huff, the owners of 135 Sea Lane, Geiger Key, Key West, Florida, have no objection to the petition for abandonment requested by Reese and Marilyn Palley.


Robert E. Huff


Kathy A. Huff



BOARD OF COUNTY COMMISSIONERS

Mayor Dixie M. Spehar, District 1
Mayor Pro Tem Murray E. Nelson, District 5
George Neugent, District 2
Charles "Sonny" McCoy, District 3
David P. Rice, District 4

FIRE MARSHAL'S OFFICE

Marathon Gov't Annex Bldg.
490 - 63rd St., Ocean, Ste. 160
Marathon, FL 33050
(305) 289-6010
(305) 289-6013 FAX



INTEROFFICE MEMORANDUM

DATE: June 13, 2003
TO: Suzanne A. Hutton, Assistant County Attorney
FROM: Arthur "Wally" Romero, Assistant Fire Marshal *AW*
SUBJECT: ROAD ABANDONMENT INSPECTION:
(Sea Lane, Geiger Key)

The Monroe County Fire Marshal's Office has reviewed the above referenced proposed road abandonment. This office has no objection to the abandonment.

If the Fire Marshal's Office can be of any additional assistance in this matter, please contact our office.

cc: William D. Surina, Assistant Fire Marshal


@RoadAbdn/RoadAbdn/mw7.0

RECEIVED JUN 16 2003

CAY

MEMORANDUM

TO: Suzanne Hutton
Assistant County Attorney

FROM: David S. Koppel 
County Engineer

DATE: October 28, 2003

RE: Road Abandonment Petition
Sea Lane, Geiger Key

RECEIVED
OCT 29 2003
MONROE COUNTY ATTORNEY

We have reviewed the above-referenced petition as well as our file and can find no document that shows the boat ramp or the land underneath to be owned by the County (except for a very small portion within the existing right-of-way). Therefore, the boat ramp would appear to be privately owned.

As such, we have no objection to the abandonment as proposed.

DSK/jl
SeaLaneAbandonmentSuzanneHutton.DOC

MEMORANDUM

To: Suzanne Hutton, Asst. County Attorney

From: K. Marlene Conaway, Director of Planning & Env. Res. *KMC*

Subject: The road abandonment for Sea Lane, Geiger Key

Date: March 12, 2004

RECEIVED

MAR 16 2004

MONROE COUNTY ATTORNEY

Per your request of March 9, 2004, our department does not have any objection to the road abandonment petition for Sea Lane on Geiger Key.

In researching your request, I found a memorandum from February 5, 2003 in which we discussed the need for Monroe County to preserve access to open water for the residents of Monroe County. In that same memo, we related that this petition does not interfere with that directive therefore our department has no objection to the petition.

Please let us know if you require additional information to complete this request for Geiger Key.